

**J. BEN EVERETT
EVERETT COOK LAW
217 East Park Street
P.O. Box 969
Anaconda, Montana 59711
Telephone: 406-563-5005
Fax: 406-563-0380
ATTORNEY FOR PLAINTIFF**

**MONTANA FIFTH JUDICIAL DISTRICT COURT
BEAVERHEAD COUNTY**

MITCHEL ODDEN,

Plaintiff,

v.

CLAYTON A. DOUGLAS and JOHN DOES
1-5,

Defendants.

Cause No. DV-1-2023-0014616-PI

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

COMES NOW MITCHEL ODDEN, by and through his attorneys of Everett Cook Law and for his causes of action against the defendants files this Complaint and Demand for Jury Trial and complains and alleges as follows:

I

For all times material herein, MITCHEL ODDEN is and has been a resident of Beaverhead County, MT.

II

For all times material herein, CLAYTON A. DOUGLAS has been a resident of the State of California.

III

DOES 1-5 are individuals or entities that may be responsible for some or all of

Plaintiff's damages. The identity of these parties will be substituted upon discovery.

IV

On July 24, 2020, MITCHEL ODDEN was traveling south-bound on I-15 in Beaverhead County, Montana, when in an event of road rage, CLAYTON A. DOUGLAS negligently and recklessly operated his vehicle in a manner that forced MITCHEL ODDEN partially off the road way, causing his vehicle's tire to blow out and causing plaintiff to loss control of his vehicle and roll it.

**COUNT I
NEGLIGENCE**

V

Plaintiff realleges the allegations in Paragraphs I-IV of this complaint.

VI

As a direct and proximate result of defendant CLAYTON A. DOUGLAS' negligence and recklessness described above, plaintiff MITCHEL ODDEN suffered bodily injuries, has incurred and will continue to incur medical expenses, has suffered wage loss, has suffered an impairment to his earning capacity and has suffered mental and physical pain and anguish and serious and severe emotional distress, for which he claims damages against the defendants.

WHEREFORE, plaintiff, MITCHEL ODDEN, prays judgment against defendant, CLAYTON A. DOUGLAS, as follows:

1. For his past, present and future medical expenses.
2. For his lost income.
3. For his impairment to earning capacity.

4. For mental and physical pain and suffering and serious and severe emotional distress and any other general damages to which he is entitled.
5. For his attorney fees and costs.
6. For general damages;
7. For such other and further relief as the Court deems just and proper.

DATED THIS 13 DAY OF JULY, 2023.

EVERETT COOK LAW

BY: 

J. BEN EVERETT
Attorney for plaintiff